



STATE OF RHODE ISLAND
OFFICE OF GOVERNOR DANIEL J. MCKEE

April 5, 2023

The Honorable Evan P. Shanley
Chair, House Committee on State Government & Elections
House Lounge, Rhode Island State House
Providence, Rhode Island 02903

Re: *2023-H 5020 and 2023-H 5021*

Dear Chairman Shanley:

I write in opposition to H-5020 and H-5021, both entitled an Act Relating to State Affairs and Government–Recognition of Native American Tribes.

The first bill, H-5020, provides a process through which any Indian tribe could petition for state recognition. The Tribe would provide the House with specified documentation concerning its existence and governmental structure and the General Assembly would then “forward a petition for state recognition to the governor for enactment through legislation.”

The second bill, H-5021, would give state recognition to the Seaconke Wampanoag for the limited purpose of receiving certain enumerated benefits and protections for which Indian tribes or groups may be eligible. Recognition for the Seaconke Wampanoags would come through legislative fiat and would not involve the petition process envisioned for all other tribes by H-5020.

The process for acknowledgement and recognition of Indian tribes is primarily a matter for the federal government. The Office of Federal Acknowledgment within the Bureau of Indian Affairs employs anthropologists, historians, and genealogists with special expertise to determine whether a petitioner should receive federal recognition. Some states also have state recognition processes. These states, like the federal government, rely on the expertise of professionals to make the determination and many have state offices or commissions dedicated to the management of Indian affairs.

Rhode Island state government does not currently have the resources to make accurate determinations about tribal existence. And, neither of these bill sets up a process that would include necessary input from anthropologists, historians, genealogists, or anyone else with the requisite expertise to make these determinations.

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In addition, H-5020 would authorize the House, acting alone, to petition the Governor for recognition through legislation. The actual process through which that would occur is not clearly spelled out in the bill and raises bicameralism concerns.

Adopting a process for the state recognition of Indian tribes is deserving of careful consideration, including hearing the concerns of Indians and Indian communities in Rhode Island. Their input on what would be pertinent and achievable criteria for recognition is important, as are their views on the process for recognition. Last year the Administration offered some suggestions for a process that would be more in line with the recognition processes in other states and would involve the input and expertise of professionals. The Administration stands ready to provide similar assistance again this year.

Sincerely,

A handwritten signature in cursive script that reads "Claire Richards".

Claire Richards
Executive Counsel

cc: Honorable Members of the House Committee on State & Government Elections
Honorable Camille F.J. Vella-Wilkinson
Nicole McCarty, Esq.